

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IDENIX PHARMACEUTICALS LLC,
UNIVERSITA DEGLI STUDI DI
CAGLIARI, CENTRE NATIONAL DE LA
RECHERCHE SCIENTIFIQUE and
L'UNIVERSITE MONTPELLIER,

Plaintiffs,

v.

GILEAD SCIENCES, INC. and GILEAD
PHARMASSET LLC,

Defendants.

C.A. No. 13-1987-LPS

IDENIX PHARMACEUTICALS LLC,
UNIVERSITA DEGLI STUDI DI
CAGLIARI, CENTRE NATIONAL DE LA
RECHERCHE SCIENTIFIQUE and
L'UNIVERSITE MONTPELLIER,

Plaintiffs,

v.

GILEAD PHARMASSET LLC,

Defendant.

C.A. No. 14-109-LPS

IDENIX PHARMACEUTICALS LLC
UNIVERSITA DEGLI STUDI DI
CAGLIARI,

Plaintiffs,

v.

GILEAD SCIENCES, INC.

Defendant.

C.A. No. 14-846-LPS

GILEAD'S PROPOSED VERDICT FORM

We, the jury, unanimously find as follows:

I. INVALIDITY OF IDENIX'S '597 PATENT – § 112 – ENABLEMENT

Has Gilead proven by clear and convincing evidence that the asserted claims of the '597 patent are invalid because the specification of the '597 patent does not enable what is claimed?

“Yes” is a finding for Gilead. “No” is a finding for Idenix.

Yes _____ No _____

II. INVALIDITY OF IDENIX'S '597 PATENT – § 112 – WRITTEN DESCRIPTION

Has Gilead proven by clear and convincing evidence that the asserted claims of the '597 patent are invalid because the specification of the '597 patent does not contain an adequate written description of what is claimed?

“Yes” is a finding for Gilead. “No” is a finding for Idenix.

Yes _____ No _____

III. IDENIX'S '597 PATENT – PRIORITY DATE

1. Has Idenix proven that it is entitled to a priority date for the '597 patent that is any earlier than the actual filing date of June 20, 2003?

“Yes” is a finding for Idenix. “No” is a finding for Gilead.

Yes _____

No _____

If you answered “No” to question #1 above, skip question #2 and proceed directly to section IV.

2. If you answered “yes” to question #1 above, what priority date has Idenix proven that it is entitled to?

May 23, 2000 _____

May 23, 2001 _____

IV. INVALIDITY OF IDENIX'S '597 PATENT – PRIOR INVENTION BY MERCK

Has Gilead proven by clear and convincing evidence that any of the following claims of the '597 patent is invalid because of Merck's prior invention?

"Yes" is a finding for Gilead. "No" is a finding for Idenix.

Claim 1	Yes _____	No _____
Claim 2	Yes _____	No _____
Claim 4	Yes _____	No _____
Claim 5	Yes _____	No _____
Claim 6	Yes _____	No _____
Claim 7	Yes _____	No _____
Claim 9	Yes _____	No _____
Claim 10	Yes _____	No _____
Claim 11	Yes _____	No _____
Claim 16	Yes _____	No _____
Claim 19	Yes _____	No _____
Claim 23	Yes _____	No _____
Claim 28	Yes _____	No _____
Claim 29	Yes _____	No _____
Claim 30	Yes _____	No _____
Claim 31	Yes _____	No _____

V. INVALIDITY OF IDENIX'S '597 PATENT – OBVIOUSNESS

Has Gilead proven by clear and convincing evidence that any of the following claims of the '597 patent is invalid because the claimed subject matter would have been obvious to a person of ordinary skill in the art at the time of the claimed invention?

“Yes” is a finding for Gilead. “No” is a finding for Idenix.

Claim 1	Yes _____	No _____
Claim 2	Yes _____	No _____
Claim 4	Yes _____	No _____
Claim 5	Yes _____	No _____
Claim 6	Yes _____	No _____
Claim 7	Yes _____	No _____
Claim 9	Yes _____	No _____
Claim 10	Yes _____	No _____
Claim 11	Yes _____	No _____
Claim 16	Yes _____	No _____
Claim 19	Yes _____	No _____
Claim 23	Yes _____	No _____
Claim 28	Yes _____	No _____
Claim 29	Yes _____	No _____
Claim 30	Yes _____	No _____
Claim 31	Yes _____	No _____
Claim 29	Yes _____	No _____
Claim 31	Yes _____	No _____

You must each sign this verdict form:

Dated: _____
